

**State of California
Office of Administrative Law**

In re:
**San Francisco Bay Conservation and
Development Commission**

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 11900 (a)

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-1112-08

OAL Matter Type: Regular (S)

This regulatory action by the San Francisco Bay Conservation and Development Commission amends the San Francisco Bay plan to (1) add an Environmental Justice and Social Equity section, including findings and policies; (2) amend the Public Access findings and policies; (3) amend the Shoreline Protection findings and policies; and (4) amend the Mitigation findings and policies.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 12/27/2019.

Date: December 27, 2019



**Peggy J. Gibson
Senior Attorney**

**For: Kenneth J. Pogue
Director**

**Original: Lawrence J. Goldzband,
Executive Director**

Copy: Lawrence J. Goldzband

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

STD. 400 (REV. 01-2013)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
Z-		2019-1112-085	

For use by Office of Administrative Law (OAL) only

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

DEC 27 2019

3:23 P.M.

2019 NOV 12 P 3:39
OFFICE OF
ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
San Francisco Bay Conservation and Development Commission (BCDC)

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)		FIRST SECTION AFFECTED		2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER		FAX NUMBER (Optional)	
OAL USE ONLY		ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER		PUBLICATION DATE	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) <i>Update of Findings and Policies Regarding San Francisco Bay Plan - Environmental Justice and Social Equity</i>		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) <i>OAL per agency request 12/27/19</i>	
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND Section 11900(a)
	REPEAL
TITLE(S) 14	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)		<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> Other (Specify) Govt. Code Section 11354.1	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Lawrence J. Goldzband	TELEPHONE NUMBER (415) 352-3653	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) larry.goldzband@bcdca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

TYPED NAME AND TITLE OF SIGNATORY
Lawrence J. Goldzband

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 27 2019

Office of Administrative Law

Amend
Title 14, Division 5, Chapter 19
Sections 11900, As Underlined

§11900

Bay Plan Amendments

(a) Resolutions.

1. through 22. No Change

23. and 24. On November 7, 2019, the Commission submitted to the Office of Administrative Law for review and approval summaries of the regulatory provisions adopted by the Commission in connection with its adoption of Bay Plan Amendment Nos. 1-17 and 3-19 on October 3, 2019. If approved, this regulation (Title 14, Division 5, Chapter 19, Section 11900) would be amended by adding the summaries of those regulatory provision as subsections 11900(a) 23., 11900(a) 24., and 11900(b) 24.

25. On October 17, 2019, the San Francisco Bay Conservation and Development Commission approved Resolution No. 2019-08, adopting Bay Plan Amendment No. 2-17, which amended the San Francisco Bay Plan by: (1) adding an Environmental Justice and Social Equity section, including findings and policies; (2) amending the Public Access findings and policies; (3) amending the Shoreline Protection findings and policies; and (4) amending the Mitigation findings and policies.

(b) Map Changes.

1. through 23. No Change

66602, 66611,

NOTE: Authority cited: Sections 66632(f), 66651 and 66652, Government Code. Reference: Section 66652, Government Code; and San Francisco Bay Plan, Parts I, III, IV, and V.

*per agency
request
12/27/19*